GOODWIN PROCTER

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September 24, 2013



Daniel J. Thomasch GIBSON, DUNN & CRUTCHER LLP 200 Park Avenue New York, NY 10166-0193

> Re: ePlus Inc. v. Lawson Software, Inc. Civil Action No. 3:09CV620 (REP)

Dear Dan:

In the Report that Lawson filed with the Court on September 20, 2013, alleging partial compliance with the Court's injunction and contempt orders, Lawson represented to the Court, "It is undisputed that Lawson complied with the provision 'to notify all customers who have purchased all or any of the Infringing Products and Services of the terms of this Order, and to provide said customers with a copy of this Order,' both as to the original May 2011 Injunction Order and the modified June 2013 Injunction Order." Report at 8 n.8. Lawson provides no documentation to substantiate this claim, and ePlus has seen no evidence whatsoever that Lawson provided its customers with notice of the June 2013 Injunction Order. Accordingly, please provide us with a copy of the Notice communicated by Lawson to its customers pursuant to the Court's June 13 Order, and a listing indicating the identities of the customers to whom such Notice was communicated and the dates of those communications.

In addition, because the Court has held that Configurations 3 and 5 with RQC are (i) not more than colorably different from Infringing Configurations 3 and 5 with RSS and (ii) infringe claim 26 of the '683 Patent (Dkt. No. 1087), by virtue of the Court's decision those Configurations fall within the scope of the Infringing Products and Services subject to the Court's Injunction order. See Dkt. No. 729 at 2. Thus, Lawson is also required to provide notice of the Court's Injunction Order to all customers having Configurations 3 and 5 with RQC indicating that the Injunction Order extends to such configurations. *Id.* at 4. Please provide us with a copy of this notice and corroboration that it has been sent to all such customers.



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Daniel J. Thomasch September 24, 2013 Page 2

Jennifer A. Albert

Sincerely,

JAA/dja

cc: The Honorable Robert E. Payne

U.S. District Judge

All Counsel of Record